

REMARKS

Applicants believe that the following comments overcome the rejection set forth in the October 17, 2003 Office Action and that the rejection should be withdrawn.

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I. THE INVENTION

Generally, the present invention is a system for accessing electronic data via a familiar printed medium having a machine recognizable feature. The machine recognizable feature may be one of various embodiments including, but not limited to, a watermark, bar code, invisible bar code, magnetic code, printed character, invisible icon, etc. An electronic signal is transmitted for processing when a machine recognizable feature is recognized. The processing results in the display of programming material related to the information contained in the printed medium. Importantly, the present invention is designed to allow a user to access programming material related to the information contained in the printed medium to supplement the information provided by the printed medium.

### **II. THE EXAMINER'S REJECTION**

The Examiner rejected claim 168 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of U.S. Patent No. 5 5,932,863 (hereinafter referred to as "the '863 patent"). "Although the conflicting claims are not identical, they are not patentably distinct from each other because they all recited [sic] the same limitations" (October 17, 2003 Office Action, p. 3).

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### **III. THE EXAMINER'S REJECTION SHOULD BE WITHDRAWN**

The Examiner rejected claim 168 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of the '863 patent. In 15 response, Applicants are filing a Terminal Disclaimer herewith to overcome the Examiner's double patenting rejection.

CONCLUSION

Applicants submit that all pending claims represent a patentable contribution to the art and are in condition for allowance. No new matter has been added. Early and  
5 favorable action is accordingly solicited.

Respectfully submitted,

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